

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 465

SENATE BILL NO. 651

By Finney

Substituted for: House Bill No. 792

By Bass, Eldridge, Shaw

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 35, relative to private protective services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 35, is amended by adding the following language as a new, appropriately designated section:

§ 62-35-1__.

(a)(1) Each licensee shall submit to the local law enforcement agency of any jurisdiction in which such licensee provides services for a restaurant, as defined in § 57-4-102, licensed to serve alcoholic beverages, wine or beer for consumption on the premises, a form promulgated by the commissioner notifying the local law enforcement agency that the licensee provides services within the agency's jurisdiction. Such form shall include the name, license number, and armed or unarmed status of each security officer/guard providing services for compensation to the licensee and the name and location of the licensee's clients within the agency's jurisdiction.

(2) Any licensee providing services for a restaurant, as defined in § 57-4-102, licensed to serve alcoholic beverages, wine or beer for consumption on the premises, upon the effective date of this act shall submit the form required by this section to any applicable agency within fifteen (15) days of such date. Otherwise, the licensee shall submit such form within fifteen (15) days of the date the licensee commences offering services in an agency's jurisdiction. The licensee shall ensure that the information submitted to the local law enforcement agency is kept current and shall notify the local law enforcement agency in writing of the substance of any change within fifteen (15) days of the date of the event necessitating such change.

(b) Any local law enforcement agency that has knowledge of a violation of this section or any other provision of this chapter shall notify the commissioner. The commissioner shall communicate in writing to the

local law enforcement agency any action taken in response to such notification.

(c) For purposes of this section, "local law enforcement agency" means:

(1) Within the territory of a municipality, the municipal police department;

(2) Within the territory of a county having a metropolitan form of government, the metropolitan police department; or

(3) Within the unincorporated territory of a county, the sheriff's office.

SECTION 2. The Commissioner of Commerce and Insurance is authorized to promulgate rules to effectuate the purposes of this act. All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

SECTION 3. For purposes of the promulgation of rules and publication of forms, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2010, the public welfare requiring it.

PASSED: June 1, 2009



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 23rd day of June 2009



PHIL BREDESEN, GOVERNOR